

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA  
Civil Action No.: 1:20-cv-429

MICHAEL P. BOLAND,

Plaintiff,

v.

ROYAL HERITAGE HOME, LLC,

Defendant.

**NOTICE OF REMOVAL**

Defendant Royal Heritage Home, LLC (“Royal Heritage”), hereby files this Notice of Removal of this action from the North Carolina General Court of Justice, Superior Court Division, Guilford County, to the United States District Court for the Middle District of North Carolina pursuant to 28 U.S.C. §§ 1441, and 1446. In support of this removal, Royal Heritage states as follows:

1. On or about April 23, 2020, an action was commenced against Royal Heritage in the North Carolina General Court of Justice, Superior Court Division, Guilford County, File No. 20-CVS-4701, entitled *Michael P. Boland v. Royal Heritage Home, LLC*.

2. Plaintiff alleges in the Complaint that he was a citizen and resident of Guilford County, North Carolina at the time he contracted and performed under the contract at issue in the litigation. Plaintiff is currently residing in Little River, Horry County, South Carolina.

3. Defendant Royal Heritage is a corporation organized and existing under the laws of the State of Delaware, with its principal place of business in New York, New York.

4. Royal Heritage was served with a copy of the Summons and Complaint filed in the State Court Action on May 7, 2020. Accordingly, this Notice is timely pursuant to 28 U.S.C. § 1446(b).

5. The above-captioned case is a civil action that is subject to removal pursuant to 28 U.S.C. § 1441 because it is based on diversity jurisdiction. This Court has original jurisdiction over this action pursuant to 28 U.S.C. § 1332 because Royal Heritage is a citizen of a state other than North Carolina and has its principal place of business in a state other than North Carolina, where Plaintiff resided at all relevant times for the actions in the Complaint. Therefore, complete diversity exists. In addition, the damages sought in the Complaint are, on information and belief and to a reasonable degree of certainty based on the allegations in the complaint, in excess of \$75,000.00, exclusive of interest and costs.

7. Attached as exhibits are copies of pleadings, including the Complaint (Exhibit A), and Summons addressed to Royal Heritage (Exhibit B).

8. Venue is appropriate in the Middle District of North Carolina because the North Carolina General Court of Justice, Superior Court Division, Guilford County, is located within this judicial district. *See* 28 U.S.C. § 1441(a).

9. Promptly after the filing of this Notice of Removal in the United States District Court for the Middle District of North Carolina, Royal Heritage will give notice of the filing of this Notice of Removal to the North Carolina General Court of Justice, Superior Court Division, Guilford County, and to Plaintiff in compliance with 28 U.S.C. § 1446(d).

WHEREFORE, Royal Heritage Home, LLC hereby removes and gives notice of removal of this action from the North Carolina General Court of Justice, Superior Court Division, Guilford County, to the United States District Court for the Middle District of North Carolina.

This the 14th day of May, 2020.

/s/Lisa W. Arthur

Lisa Arthur

N.C. State Bar No. 44184

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*Attorneys for Defendant*

**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that the foregoing **NOTICE OF REMOVAL** has been filed with the Clerk using the CM/ECF system and has served upon Plaintiff by depositing a copy of the same in the United States mail, postage prepaid, addressed to the following counsel of record:

Roberta King Latham  
615 St. George Square Ct., Suite 300  
Winston-Salem, NC 27103  
*Attorney for Plaintiff*

This the 14th day of May, 2020.

/s/Lisa W. Arthur  
Lisa W. Arthur  
*Attorney for Defendant*